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## Sec. 36-429. ~~Elderly~~ Cottage Housing Opportunity (~~ECHO~~) Planned Unit Development; intent.

- (a) It is the intent of this section and sections 36-430 to 36-433 to offer an alternative to traditional single-family detached or attached housing developments ~~for elderly persons~~ through the use of planned unit development legislation as authorized by the Michigan Zoning Enabling Act, Public Act 110 of 2006, as amended for the purpose of:
- (1) Encouraging the construction of more affordable-attainable single-family residential detached or attached dwelling ~~for elderly persons~~ units utilizing public sewer ~~cluster-septic tank drain fields~~ and common water supply systems;
  - ~~(2) Facilitating the construction of affordable single-family residential detached housing units for elderly persons on a smaller scale than conventional multifamily developments that require public infrastructure improvements such as roads, and public water and sewer to accommodate higher density and lower cost dwelling units;~~
  - (3) Offering an alternative to multifamily residential developments in order to provide attainable ~~affordable~~ housing ~~for elderly persons~~ in a small scale, less dense neighborhood setting;
  - ~~(4) Preserving the rural character and appearance of the Township through the construction of small scale environmentally sensitive elderly person developments on scattered sites.~~
  - (5) Encouraging the clustering of detached or attached single-family ~~elderly person~~ dwelling units to promote the safety and security of the ~~senior citizen~~ residents.
- (b) ~~These regulations are intended to preserve a traditional rural character to the land use pattern in the Township through the creation of small elderly person residential nodes contrasting with open space and less intensive land uses.~~ This section is not intended as a device for circumventing the zoning regulations of the Township, the standards set forth therein, nor the planning concepts upon which this chapter has been based.
- (c) These regulations are intended to result in a specific development substantially consistent with zoning ordinance standards yet allow for modifications from the general standards.

(Zoning Ord. 2020, § 14.2.1, 1-5-2021)

## Sec. 36-430. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

~~ECHO Cottage Housing Opportunity community~~ ~~lot~~ means land occupied or to be occupied by ~~ECHO~~ units and accessory buildings permitted herein, together with such open spaces as are required under this chapter and having its principal frontage upon a street.

~~ECHO Cottage Housing Opportunity unit~~ means a single-family residential dwelling unit with full facilities for residential self-sufficiency in each individual dwelling unit ~~which has a resident who is an elderly person.~~

~~ECHO village~~ means ~~a housing development which meets the unique needs of the elderly through the provision of significant facilities and services specifically designed to meet the physical or social needs of such residents.~~

(Zoning Ord. 2020, § 14.2.2, 1-5-2021)

## Sec. 36-431. Zoning.

An ~~ECHO Cottage Housing Opportunity village~~community may be located in the following zoning districts: ~~RAA~~, RA, RB, ~~PPRFRC~~, NS, CS, VC, VR, ~~OH~~ or MD, or ~~WFR~~~~WFR~~ provided the development does not have riparian rights (i.e., does not have shoreline along a lake or river).

(Zoning Ord. 2020, § 14.2.3, 1-5-2021)

## Sec. 36-432. Development design standards.

~~ECHO Cottage Housing Opportunity village~~community housing shall meet the following criteria:

- (1) On-site ~~public~~sewage disposal and ~~common~~ water supply. On-site ~~public sewer and common water~~sewage disposal and water supply must be approved by the Livingston County Health Department.
- (2) ~~ECHO Cottage Housing Opportunity village~~community size. No fewer than four ~~ECHO~~ units nor more than 20 ~~ECHO~~ units shall be permitted per ~~community~~lot.
- (3) Acreage and density requirements. An ~~ECHO Cottage Housing Opportunity village~~community development may be approved upon any residentially zoned land with density as permitted below:

District	Minimum Acreage	<del>Minimum Density determination for Cottage Housing Opportunity community. Minimum Density per ECHO Unit</del>
<del>RAA</del>	<del>3 acres</del>	<del>15,000 square feet</del>
RA * (Special Use Permit)	2 acres	10,000 square feet
RB	2 acres	5,000 square feet
WFR * (Special Use Permit)	2 acres	10,000 square feet
CS	1 acre	5,000 square feet
<del>PPRFRC</del>	1 acre	5,000 square feet
VR	1 acre	5,000 square feet
VC	1 acre	5,000 square feet
MD	1 acre	5,000 square feet
<u>NS</u>	<u>1 acre</u>	<u>5,000 square feet</u>

- (4) Unified control. The ~~ECHO Cottage Housing Opportunity village~~community shall be initially under single ownership or control, so there is a single person, entity or condominium having proprietary responsibility for the development of the ~~ECHO Cottage Housing Opportunity village~~community as evidenced by a title company licensed to do business in Michigan. In the event, all or any portion of the development changes ownership or control prior to completion of the project, the terms and conditions of this Planned Unit Development shall be binding on any successor owner of all or any portion of the property.
- (2)~~5~~ Guarantee of open/common space. At least 15 percent of the total site area shall be reserved as open space. This open space shall be held in common ownership by all residents of the ~~ECHO Cottage Housing Opportunity village~~community. This open space shall be utilized for recreation facilities such as

picnic areas, walking trails or other open space uses which provide ~~elderly~~ residents the opportunity to enjoy the natural features of the site. The open space shall be configured to be integrated with the individual units and maximize the proximity of each housing unit to natural open space. If the open space is close and accessible for residents of all individual units, it need not be owned in common. A guarantee to the satisfaction of the Township Planning Commission that all open/common space portions of the development will be maintained in the manner approved shall be provided. Documents shall be presented that bind all successors and future owners in fee title to commitments made as a part of the proposal. This provision shall not prohibit a transfer of ownership or control, provided notice of such transfer is provided to the Township and the land uses continue as approved in the ~~ECHO Cottage Housing Opportunity~~ villagecommunity plan.

(63) *Area, height, bulk and layout regulations.*

Minimum <del>ECHO</del> unit floor area:	400 square feet
Maximum <del>ECHO</del> unit floor area:	980 square feet
Maximum building height:	<del>1-1.5</del> story
Required roof pitch:	4:12 or greater
Minimum building width, any dimension:	14 feet
Distance between <del>roof overhangs of</del> buildings:	10 feet
Handicap ramps:	May encroach into any setback space
Basement:	Optional
Shed:	Optional
Garage:	Optional
Covered parking:	Optional
Minimum setbacks:	<del>10-15</del> feet from street or private road right-of-way <del>10 feet from side and rear lot lines</del> <del>5 feet from common access drives</del> <del>20 feet from shared/adjacent parcel lines</del>
<del>Common access drives:</del>	<del>4 feet from all lot lines</del>

(74) *Attached units.* No more than four units shall be attached in a single structure.

(85) *Garages.* Detached garages can be located no more than 100 feet of walking distance from the ~~ECHO~~ unit which it serves.

(96) *Porches.* Each ~~ECHO~~ unit shall have at least one covered porch ~~of at least 24 square feet in area.~~

(107) *Common area.* Each ~~ECHO Cottage Housing Opportunity~~ villagecommunity which contains five or more ~~ECHO~~ units shall have a common area ~~containing at least one gazebo, deck, patio or terrace that shall be covered with a roof, be a minimum of 60 square feet, and be of the same architectural style and design as the ECHO units located on the lot.~~

(118) *Storage sheds.* Any storage sheds shall be so designed as to have the same roof pitch and architectural style as the ~~ECHO~~ units in the development. Storage sheds may be linked so as to have common walls; however, each shed must have its own private, lockable access door. The dimensions of any shed servicing an ~~ECHO~~ unit shall conform to other size provisions of this chapter.

~~(9) —Water and septic system service. If there is public water and/or sewer service available to the lot or in the area on which an ECHO development is located, connection into the system may be required.~~

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- (120) *Roads.* The ~~ECHO~~Cottage Housing Opportunity villagecommunity shall have paved access designed and constructed to AASHTO standards and shall provide adequate access for emergency vehicles.
- (131) *Parking requirements.* The parking standards for an ~~ECHO~~ villagecommunity shall be two spaces per unit. Each parking space shall have a minimum size of 16280 square feet (~~nineteen~~ feet by 18 feet) and may be located ~~either on-site, or within 100 feet of the site.~~
- (142) *Construction drawings required.* Scaled floor plan and building elevation drawings shall be presented for each ~~ECHO~~ unit within the ~~ECHO~~ villagecommunity that has a different interior layout and square footage of living space.
- (153) *Sidewalks and access ramps.* All pedestrian circulation walkways and sidewalks shall be hard-surfaced with either asphalt, concrete or brick paving, ~~and be accessible to the handicapped according to the standards set forth in the Americans with Disabilities Act. Handicapped access ramp structures may encroach into any required setback space.~~
- ~~(14) Interior design.~~ The interior of each ~~ECHO~~ unit shall be designed to provide ease of mobility by seniors who may have mobility limitations. The units shall meet the International Code Council (American National Standards Institute) Accessibility Standards for Type B units.
- (165) *Design compatibility.* The exterior of each ~~ECHO~~ unit shall be compatible in terms of architectural design, materials and color with the residential structures in the immediate neighborhood within 300 feet of the development parcel or lot. However, all housing units shall be a minimum of 14 feet wide at their least horizontal dimension and attached to a permanent foundation. The roof pitch of an ~~ECHO~~ unit shall be at least a 4:12 pitch. Accessory buildings for an ~~ECHO~~ unit, such as a detached garage and shed, shall also conform to the minimum roof pitch and be architecturally compatible with the design and style of the ~~ECHO~~ unit. Compatibility of design shall be decided by the planning commission.
- (176) *Waiver of standards.* The planning commission is hereby empowered to waive site design standards and development area requirements if public health and safety are not compromised. The planning commission is further empowered to specify conditions in issuing any special use permits as may be required.

(Zoning Ord. 2020, § 14.2.4, 1-5-2021)

### **Sec. 36-433. Project standards.**

In considering any application for approval of an ~~ECHO~~Cottage Housing Opportunity villagecommunity site plan, the planning commission shall make their determinations on the basis of the standards for site plan approval set forth in article III of this chapter, as well as the following standards and requirements:

- (1) Compliance with the ~~ECHO~~Cottage Housing Opportunity concept. The overall design and land uses proposed in connection with an ~~ECHO~~Cottage Housing Opportunity villagecommunity shall be consistent with the intent of the ~~ECHO~~Cottage Housing Opportunity concept, as well as with the specific design standards set forth herein.
- (2) Compatibility with adjacent uses. The proposed ~~ECHO~~Cottage Housing Opportunity villagecommunity site plan shall set forth in detail, all specifications with respect to height, setbacks, density, parking, circulation, landscaping, views and other design features that exhibit due regard for the relationship of the development to surrounding properties, the character of the site, and the land uses. In determining whether this requirement has been met, consideration shall be given to:
  - a. The bulk, placement, and materials of construction of proposed structures.
  - b. Pedestrian and vehicular circulation.

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- c. The location and screening of vehicular use or parking areas.
  - d. The provision of landscaping and other site amenities.
- (3) Protection of natural environment. The proposed ~~ECHO~~Cottage Housing Opportunity ~~village~~community shall be protective of the natural environment. It shall comply with all applicable environmental protection laws and regulations.
  - (4) Common area and unit maintenance. The ~~ECHO~~Cottage Housing Opportunity ~~village~~community shall include in the master deed, community bylaws or covenant provisions, as applicable for the maintenance of the common open space, including landscaping maintenance, snow removal and repairs to building exteriors, in a form approved by the Township Attorney.
  - (5) Compliance with applicable regulations. The proposed ~~ECHO~~Cottage Housing Opportunity ~~village~~community shall comply with all applicable federal, state and local regulations.
  - ~~(6) Because of the specialized character of such uses, the limited class of occupants and the potentially limited market for such units, the planning commission may require a market study and or surveys of elderly residents in the vicinity of Hamburg Township as to documenting the long term marketability of the development and which supports both the need and market for the development. The planning commission may require written supporting evidence from national elderly assistance groups, such as American Association of Retired Persons (AARP), that units of such floor area and density, and developments of such an arrangement are attractive and feasible for the elderly.~~
  - ~~(7) The planning commission may require the submission of letters of endorsement or support for the development from public and private elderly service provider agencies as to the suitability of such dwellings for elderly persons.~~
  - ~~(68) The planning commission may base its action on experience with and competition from similar developments in the area.~~
  - ~~(9) The planning commission may base its approval on the long term availability of senior services to be provided by the developer, operator, government or private elderly support agencies, such as medical assistance, meals assistance, proximity to shopping, personal services and medical care, transportation (including access to major roads), recreation and other elderly needs.~~

(Zoning Ord. 2020, § 14.2.5, 1-5-2021)